



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, APRIL 18, 2002**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed.

The City Council of Austin, Texas, convened in a regular meeting on Thursday, April 18, 2002 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

Invocation - Pastor Richard Stone, Austin Brethren Church

Mayor Garcia called the meeting to order at 12:12 p.m.

Mayor Garcia recessed the meeting at 12:14 p.m. to go into Executive Session.

EXECUTIVE SESSION

1. Discuss sale of an interest in real property acquired for the Barton Springs Water Quality Project authorized by Proposition 2 of the May 2000 Bond Election.
2. Discuss legal issues related to the appeal of the Planning Commission's approval of a conditional use permit for a day care service use located at 4814 Red River Street (File #SPC-01-0026A; Sammy's House).
3. Discuss legal issues concerning the appeal of the Zoning and Platting Commission's decision to deny a non-substantial revision to the Harris Branch Planned Unit Development Land Use Plan (Harris Branch PUD) located at 1375 U.S. Highway 290 East at Harris Branch.
This item was postponed.
4. Discuss legal issues related to the 2001 BFI Settlement Agreement.
5. Discuss long-term power generation issues.

Executive Session ended at 1:43 p.m. Mayor Garcia called the meeting back to order.

CITIZEN COMMUNICATIONS

6. Gus Pena - To discuss the needs of the poor, have nots and disenfranchised Residents of the City of Austin
7. Veronica Hernandez - Juvenile Justice & A.I.S.D.
8. Miguel A. Gomez - Juvenile Justice and A.I.S.D.
9. Norman Kieke - MR./DD Community Assessment and Austin Area Human Services Association.
10. Susana Almanza - Equity for East Austin
11. Akwasi Evans - Reparation & Economic Apartheid
12. Dr. Sylvia Herrera - Gentrification: The displacement of East Austinites (Master Plan of 2000)

50. James (Rip) Rowan - GA@W High School College & Career Fair & thank you for City's support of GA@W invitations. - **ABSENT**
51. Rolando Pina – USA Coalition and South Central Austin neighborhoods patriotic Front Porch Candidate Forum for the May 4, 200-2 City Council /AISD/ACC election: Sign up at 5pm on April 25, 2002 at 807 Cumberland Road, south Austin 78704, scheduled open mike and program will be available bring cool snacks and drinks to share. Call for info. Roland USA 441-2062.
52. Jennifer Gale: Voter choice!

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Thomas' motion, Council Member Griffith's second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

14. Approve an ordinance amending Ordinance No. 020307-14. calling the May 4, 2002 City of Austin General Municipal Election, to amend Exhibits A and B regarding election day polling places and election day precinct judges respectively. This ordinance also amends Ordinance Nos. 020321-15, 020321-15A, 020321-15B, 020321-15C, 020321-15E, 020321-15F, 020321-15G, and 020321-15J which incorporate Ordinance No. 020307-14 by reference.)
Ordinance No. 020418-14 was approved.
15. Approve an ordinance amending Ordinance No. 010910-02 the 2001-02 Capital Budget of the Health and Human Services Department by appropriating \$5,400,000 to a new account, "School for the Deaf Lease, Purchase & Renovation Project". (The amount will be funded by the issuance of Certificates of Obligation in September 2002.) (Related Item Nos: 16 and 17)
Ordinance No. 020418-15 was approved.
16. Approve a resolution to declare official intent for the City of Austin to reimburse itself from the proceeds of Certificates of Obligation issued in the future for \$5,400,000 in costs related to the purchase of the Texas School for the Deaf East Campus, located at the Northeast corner of U.S. 183 & Airport Blvd. and amend the two-year GO Bond Sale Schedule. (The amount of \$5,400,000 to be reimbursed from the issuance of Certificates of Obligation in September 2002.) (Related Item Nos. 15 and 17)
Resolution No. 020418-16 was approved.
17. Approve a resolution authorizing negotiation and execution of a contract to purchase from the State of Texas approximately 44.426 acres, also known as the Texas School for the Deaf, located at the Northeast corner of U.S. 183 & Airport Boulevard, in an amount not to exceed \$3,829,595, and to authorize negotiation an execution of a lease for approximately four months in an amount not to exceed \$100,000. (Funding is included in the Fiscal Year 2001-2002 Capital Budget for the Health & Human Services Department.) (Related Item Nos. 15 and 16)
Resolution No. 020418-17 was approved.
18. Approve an ordinance making non-substantive amendments to the City Code to correct clerical errors in previous City Ordinances.
Ordinance No. 020418-18 was approved.
19. Approve a resolution authorizing an amendment to a consulting expert contract with GDS ASSOCIATES, INC., for expert testimony and services to the City of Austin in Public Utility Commission of Texas ("PUC") Docket No. 23320, in an amount not to exceed \$48,750 with a total contract amount not to exceed \$89,750. (Funding in the amount of \$48,750 is available in the 2001-2002 Amended Operating Budget for the Electric Utility Department.
Resolution No. 020418-19 was approved.

20. Set a public hearing to consider a proposed neighborhood plan for the Upper Boggy Creek Neighborhood Planning Area (area bounded by the former Robert Mueller Municipal Airport site to the north, Airport Boulevard and Walnut and Cedar Avenues to the east, MLK Jr. Boulevard and Manor Road to the south, and IH-35 and the University of Texas to the west). (There is no fiscal impact associated with setting this public hearing. This plan is advisory and does not legally obligate the Council to implement any particular recommendation.) (Suggested Date and Time: May 23, 2002 at 4:00 p.m.)
Resolution No. 020418-20 was approved.
21. Approve a resolution authorizing execution of an artwork commission contract not to exceed \$90,000 with ROGER COLOMBIK, Wimberley, Texas, for canopied "porch swing" and fountain/pool with bronze sculptural elements to be incorporated into the courtyard (outdoor break area) for the Combined Emergency Communications and Transportation Management Center. (Funding in the amount of \$90,000 from the Art in Public Places allocation within the Combined Emergency Communications and Transportation Management Center.)
Resolution No. 020418-21 was approved.
22. Approve a resolution authorizing execution of two 12-month service agreements with AUSTIN FAMILIES, INC, Austin, Texas, for the Jeannette Watson Fellowship Program which provides wage supplements for eligible child care teachers in an amount not to exceed \$100,000 with two 12-month extension options in an amount not to exceed \$100,000 per extension for a total contract amount not to exceed \$300,000 and one contract for the Fix It! Program to provide consultant and training services to childcare providers in an amount not to exceed \$90,000 with two 12-month extension options in an amount not to exceed \$90,000 per extension for a total contract amount not to exceed \$270,000. (Funding in the amount of \$95,000 was included in the 2001-2002 Approved Operating Budget of the Health and Human Services Department; \$89,500 is in the Sustainability Fund and \$5,500 is in the Certification Grant Fund. Funding for the remaining six months of the original contract period and extension options is contingent upon available funding in future budgets.) Best proposal of two proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
Resolution No. 020418-22 was approved.
23. Approve a resolution authorizing execution of a 12-month supply agreement with LAUREN CONCRETE INC., Austin, Texas, for the purchase of ready mix concrete for the Watershed Protection and Development Review Department, in an amount not to exceed \$26,800, with two 12-month extension options in an amount not to exceed \$26,800 per extension, for a total contract amount not to exceed \$80,400. (Funding in the amount of \$13,400 was included in the 2001-2002 Operating Budget for the Watershed Protection and Development Review Department. Funding for the remaining six months of the original contract period and extension options are contingent upon available funding in future budgets.) Low bidder/four bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. The concrete ready mix will be provided directly to the City by the contractor. There are no subcontracting opportunities, therefore no goals were established for this solicitation.
Resolution No. 020418-23 was approved.

Item 24 was pulled for discussion.

25. Approve a resolution authorizing execution of a 12-month service agreement with TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED (TIBH), Austin, Texas, to provide sorting services of recycled materials at the Todd Lane Material Recovery Facility (MRF) and litter control services at the MRF and FM 812 Landfill in an amount not to exceed \$182,208, with two

12-month extension options in amounts not to exceed \$182,208 per extension, for a total contract amount not to exceed \$546,624. (Funding in the amount of \$75,920 is available in the 2001-2002 Operating Budget of the Solid Waste Services Department. Funding for the remaining seven months of the original contract period and extension options is contingent upon available funding in future budgets.) This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance. This is a service provided directly to the City by TIBH. (Recommended by Solid Waste Advisory Committee)

Resolution No. 020418-25 was approved.

26. Approve a resolution authorizing execution of a 12-month service agreement with HUTHER & ASSOCIATES, INCORPORATED, Denton, Texas, for the purchase of bio-monitoring (toxicity testing) services in an amount not to exceed \$27,450 with three 12-month extensions options in an amount not to exceed \$27,450, for a total contract amount not to exceed \$109,800. (Funding in the amount of \$7,005 is available in the 2001-2002 Amended Operating Budget for the Electric Utility Department; \$6,720 is available in the Operating budget of the Water and Wastewater Utility. Funding for the balance of the contract and the extension options is contingent upon available funding from future budgets.) Best-evaluated proposal/four proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. There were no opportunities for subcontracting; therefore, no MBE/WBE goals were established for this solicitation.

Resolution No. 020418-26 was approved.

27. Approve a resolution authorizing negotiation and execution of service agreements with one or more of the following firms: EPGT TEXAS PIPELINE, L.P., Houston, Texas, GULF ENERGY PIPELINE, LLC; Houston, Texas, OASIS PIPE LINE COMPANY TEXAS L.P., Houston, Texas, and AEP GAS MARKETING LP, Houston, Texas, for natural gas transportation and if necessary, construction of related pipeline facilities, to deliver gas to Austin Energy's power plants for terms up to five years commencing July 1, 2002 in a combined amount not to exceed \$32.4 million with an option to extend up to an additional five years at a cost not to exceed \$27.4 million for a total amount not to exceed \$59.8 million. (Funds for gas transportation are included in the Utility Fuel Charge Revenue. Funding for future years is contingent upon available funding in future budgets.) Best evaluated proposals/Seven proposals received. Any contracts will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore no MBE/WBE goals were established for this solicitation. All services will be provided by the contractor's own workforce.

This item was postponed indefinitely.

28. Approve a resolution authorizing execution of a 12-month service agreement with PIMPTON'S LANDSCAPING INCORPORATED (MBE/MB), Austin, Texas, for the purchase of landscaping and grounds maintenance services in an amount not to exceed \$39,500 with four 12-month extensions options in an amount not to exceed \$39,500, for a total contract amount not to exceed \$197,500. (Funding in the amount of \$19,750 is available in the 2001-2002 Amended Operating Budget for the Electric Utility Department. Funding for the balance of the contract and the extension options is contingent upon available funding in future budgets.) Low Bid/Six bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. There were no opportunities for subcontracting; therefore, no MBE/WBE goals were established for this solicitation.

Resolution No. 020418-28 was approved.

29. Approve a resolution authorizing execution of a 12-month supply agreement with Merial Limited, Duluth GA, to provide three sole source veterinary products for Town Lake Animal Center in an amount not to exceed \$16,250, with two 12-month extension options in an amount not to exceed \$16,250 per extension, for a total contract amount not to exceed \$48,750. (Funding in

the amount of \$9,480 was included in the 2001-2002 Operating Budget of the Health and Human Services Department. Funding for the remaining five months of the original contract period and extension options is contingent upon available funding in future budgets.) Sole Source. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. There were no opportunities for subcontracting; therefore, no MBE/WBE goals were established for this solicitation.

Resolution No. 020418-29 was approved.

- 30. Approve a resolution to amend Amendment No. 6 to a service agreement with SILVIA KENIG, INC., (WBE/FH) Austin, Texas, for Spanish language interpreter services for defendants and witnesses for the Municipal Court, to increase the three 12-month extension options in an amount not to exceed \$44,410.75 per extension for a total contract amount not to exceed \$843,804.25. (Funding in the amount of \$62,915.23 was included in the 2001-2002 Approved Operating Budget of the Municipal Court. Funding for the remaining seven months of the second extension option and the remaining extension option is contingent upon available _____ in future budgets.)

Resolution No. 020418-30 was approved.

- 31. Amend Ordinance No. 010910-02 the 2001-2002 Capital Budget of the Transportation, Planning & Sustainability Department by appropriating \$15,000,000 to a new account, "State Highway 130 Participation". (The amount of \$15,000,000 will be funded by the issuance Public Improvement Bonds in September 2002.) (Related Item Nos. 32 and 33)

Ordinance No. 020418-31 was approved.

- 32. Approve a resolution to declare official intent for the City of Austin to reimburse itself \$15,000,000 from proceeds of Public Improvement Bonds to be issued in the future to cover costs related the construction of State Highway 130 and amend the two-year GO Bond Sale Schedule. (The amount of \$15,000,000 to be reimbursed from the issuance of Public Improvement Bonds in September 2002.) (Related Item Nos. 31 and 33)

Resolution No. 020418-32 was approved.

- 33. Approve a resolution authorizing negotiation of an Interlocal Agreement with the Texas Turnpike Authority (TTA) for the City's participation in the construction of SH 130, in the amount of \$15,000,000. (Funding is available in the 2001-2002 Amended Capital Budget of the Transportation, Planning & Sustainability Department.) (Related Item Nos. 31 and 32)

Resolution No. 020418-33 was approved.

34.

Child Care Council

Dan Garcia	reappointment	Alvarez
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Downtown Commission

Darrell Pierce (Capital City Chamber representative)	appointment	Consensus
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Jennifer Piskun Johnson	nomination	Mayor
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MBE/WBE Advisory Committee

Cheryse Phillips (Minority Chamber representative)	appointment	Consensus
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Urban Forestry Board

David Cater	appointment	Slusher
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35. Approve an ordinance waiving the residence requirement and appointing Cheryse Phillips to the MBE/WBE Advisory Committee. (Council Member Danny Thomas)
Ordinance No. 020418-35 was approved.

Items 36 and 37 were pulled for discussion.

38. Approve an ordinance waiving certain fees under Chapter 15-11 of the City Code and approving the closure of certain streets for the "Mighty Texas Dog 5K Walk" to be held on April 20, 2002. (Mayor Pro Tem Jackie Goodman)
Ordinance No. 020418-38 was approved.
39. Approve an ordinance amending Section 16-8-22 of the City Code relating to the riding of bicycles on sidewalks (Council Member Danny Thomas and Mayor Gus Garcia)
Ordinance No. 020418-39 was approved along with directions to staff to discuss enforcement with the Police Department.
40. Approve a resolution directing the City Manager to implement the construction of pedestrian and bicycle facilities as integral components of transportation corridors during future street reconstruction or major street rehabilitation projects (Council Member Danny Thomas and Mayor Gus Garcia)
Resolution No. 020418-40 was approved, with the following amendment to the 5th paragraph, last sentence in parentheses, to read, "... including future bond projects."
41. Approve an ordinance authorizing the reimbursement of street closure fees under Chapter 15-11 of the City Code for the Austin Museum of Art Guild, Inc. for its fundraiser event on April 13-14, 2002 (Council Member Will Wynn)
Ordinance No. 020418-41 was approved.
42. Approve a resolution authorizing the payment of \$550.00 for safety barricades and the payment of police security fees for the East Austin Community Festival to be held on May 4, 2002. (Council Member Danny Thomas)
Resolution No. 020418-42 was approved.

DISCUSSION ITEMS

24. Approve a resolution authorizing execution of an amendment to the five-year service agreement with INDEPENDENT ENVIRONMENTAL SERVICES, INC., DBA/MID-TEX WASTE SYSTEMS, Austin, Texas, for solid waste services to portions of annexed areas and certain nearby areas currently serviced by the City, to increase the agreement in an amount not to exceed \$141,083 and increase the two 12-month extension options in an amount not to exceed \$36,516 each, for a total contract amount not to exceed \$1,278,081.13. (Funding in the amount of \$76,955 is available in the 2001-2002 Operating Budget of the Solid Waste Services Department. Funding for the remaining five months of the original contract period and extension options are contingent upon available funding in future budgets.) (Solid Waste Advisory Committee recommended approval of the first year contract only.)
Resolution No. 020418-24 was approved on Council Member Wynn's motion, Council Member Thomas' second by a 7-0 vote.
36. Discussion and possible action, including an amendment to the Fiscal Year 2001 - 2002 Operating Budget (Ordinance No. 010910-01), regarding an appropriation to fund the citizen initiative campaign finance charter amendment (Proposition 1) if the amendment is approved by the voters on May 4, 2002. (Council Member Will Wynn and Mayor Gus Garcia)

This item was postponed for one week. Council directed staff to bring back a recommendation for the necessary administrative funding for this item on Council Member Wynn's motion, Council Member Alvarez' second by a 7-0 vote.

37. Discussion and possible action on a new campaign finance ordinance should the voters choose to repeal the current contribution limit of \$100 (Proposition 2) and also reject the citizen initiative campaign finance charter amendment (Proposition 1). (Council Member Will Wynn)
The motion to postpone this item indefinitely was approved on Council Member Wynn's motion, Council Member Griffith's second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.
13. Approval of minutes from worksession of April 10, 2002, regular meeting of April 11, 2002.
The minutes from the worksession of April 10, 2002 and the regular meeting of April 11, 2002 were approved on Council Member Thomas' motion, Council Member Wynn's second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

Mayor Garcia recessed the meeting at 3:39 p.m. to go into Executive Session.

EXECUTIVE SESSION

1. Discuss sale of an interest in real property acquired for the Barton Springs Water Quality Project authorized by Proposition 2 of the May 2000 Bond Election.

Executive Session ended at 4:36 p.m. Mayor Garcia called the meeting back to order.

ZONING CONSENT

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Wynn's motion, Council Member Griffith's second by a 5-0 vote. Council Members Slusher and Thomas were off the dais.

- Z-1. C814-01-0065 – Bear Lake P.U.D. – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the southeast corner of S.H. 45 and F.M. 1826 (Slaughter and Barton Creek Watersheds) from unzoned and I-RR, Interim-Rural Residence district, zoning to P.U.D., Planned Unit Development district, zoning.
Platting Commission Recommendation: To grant to P.U.D., Planned Unit Development district, zoning with conditions. Applicant and Property Owner: Stratus Properties (Kenneth Blaker). Agent: Drenner Stuart Wolff Metcalfe von Kreisler, LLP. (Michele Haussmann). City Staff: Wendy Walsh, 974-7719. (continued from and 12/13/01, 2-14-02 and 3/21/02)
This item was postponed to May 23, 2002 at staff's request.
- Z-2. C14-01-0077 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning the property locally known as 12700-12800 Block of North IH-35 Service Road southbound (Walnut Creek Watershed) from DR, Development Reserve district, zoning to CS, General Commercial Services district, zoning. Zoning and Platting Commission Recommendation: To grant GR-CO, Community Commercial-Conditional Overlay Combining district, zoning with conditions. Applicant: Bryan Snyder III. Agent: Doucet & Associates (Nancy Costa). City Staff: Sherri Gager, 974-3057. (continued from 4/7/02)
Ordinance No. 020418-Z2 was approved.
- Z-3. C14-02-0011 – Nalle Tract – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the southwest corner of Capitol of Texas Highway and Plaza on the Lake (Lake Austin Watershed) from I-RR, Interim-

Rural Residence district, zoning and SF-2, Single Family Residence Standard Lot district, zoning to MF-1, Multifamily Residence Limited Density district, zoning. Zoning and Platting Commission Recommendation: To grant MF-1, Multifamily Residence Limited Density district, zoning. Applicant: Nalle Bunny Run Farm Family (William Nalle). Agent: Armbrust and Brown (David Armbrust). City Staff: Glen Rhoades, 974-2775

The first reading of this ordinance was approved.

- Z-4. C14-02-0012 – Nalle Tract – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the southwest corner of Capitol of Texas Highway and Plaza on the Lake (Lake Austin Watershed) from SF-2, Single Family Residence Standard Lot district, zoning to MF-1, Multifamily Residence Limited Density district, zoning. Zoning and Platting Commission Recommendation: To grant MF-1-CO, Multifamily Residence Limited Density-Conditional Overlay Combining district, zoning with conditions. Applicant: Nalle Bunny Run Farm Family (William Nalle). Agent: Armbrust and Brown (David Armbrust). City Staff: Glen Rhoades, 974-2775
The first reading of this ordinance was approved.
- Z-5. C14-02-0023 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 6815 Enterprise Court (Little Walnut Creek Watershed) from SF-3, Family Residence district, zoning to MF-2, Multifamily Residence Low Density district, zoning. Zoning and Platting Commission Recommendation: To grant MF-2, Multifamily Residence Low Density district, zoning. Applicant: Intergroup Arlington Arms, Inc. Agent: Crocker Consultants (Sarah Crocker). City Staff: Annick Beaudet, 974-2975.
Ordinance No. 020418-Z5 was approved.
- Z-6. C14-02-0024 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 6855 U.S. Highway 290 East (Little Walnut Creek Watershed) from LR, Neighborhood Commercial district, zoning to MF-3, Multifamily Residence Medium Density district, zoning. Zoning and Platting Commission Recommendation: To grant MF-3, Multifamily Residence Medium Density district, zoning. Applicant: Intergroup Arlington Arms, Inc. Agent: Crocker Consultants (Sarah Crocker). City Staff: Annick Beaudet, 974-2975.
Ordinance No. 020418-Z6 was approved.
- Z-7. C14-02-0025 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 7015 U.S. Highway 290 East, 6921 Enterprise Court, 7001 U.S. Highway 290 East, and 7033 U.S. Highway 290 East (Little Walnut Creek Watershed) from CS, General Commercial Services district, zoning for Tracts 1 and 3, SF-3, Family Residence district zoning for Tract 2, and GR, Community Commercial, district zoning for Tract 4 to CS-MU, General Commercial Services-Mixed Use Combining district, _ for Tracts 1, 2, and 3, and MF-3, Multifamily Residence Medium Density district, zoning for Tract 4. Zoning and Platting Commission Recommendation: To grant CS-MU-CO, General Commercial Services-Mixed Use-Conditional Overlay Combining district, zoning with conditions for Tracts 1, 2, and 3, and MF-3-CO, Multifamily Residence Medium Density-Conditional Overlay Combining district, zoning with conditions for Tract 4. Applicant: Intergroup Arlington Arms, Inc. Agent: Crocker Consultants (Sarah Crocker) City Staff: Annick Beaudet, 974-2975.
Ordinance No. 020418-Z7 was approved.
- Z-8. C14-02-0034SH - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 4511-4613 Springdale Road (Fort Branch Watershed) from GR, Community Commercial district, zoning to SF-6, Townhouse and Condominium Residence district, zoning. Zoning and Platting Commission Recommendation: To grant SF-6, Townhouse and Condominium Residence district, zoning. Applicant: Sterling-

Springdale, L.P. Agent: Lopez-Phelps and Vaughn (Amelia Lopez-Phelps). City Staff: Annick Beaudet, 974-2975.

Ordinance No. 020418-Z8 was approved.

ZONING DISCUSSION ITEMS

43. Conduct a public hearing and consider for possible action an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Bouldin Creek Neighborhood Plan for the area bounded by Town Lake to the north, South Congress Avenue to the east, Oltorf Street to the south, and the Union Pacific Railroad Tracks to the west.) [There is no fiscal impact associated with adopting the Bouldin Creek Neighborhood Plan. An estimate of the fiscal impact to implement all of the recommendations in the plan is \$552,497 (plus \$7,200 annual maintenance costs) This plan is advisory and does not legally obligate the Council to implement any particular recommendation.] **The public hearing was closed on Council Member Wynn's motion, Council Member Thomas' second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Griffith were off the dais.**

The motion to approve the first reading of the ordinance passed on Council Member Slusher's motion, Council Member Thomas' second on a 6-0 vote. Council Member Griffith was off the dais.

44. C14-02-0031 – Bouldin Creek Neighborhood Plan Rezoning – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as Bouldin Creek Neighborhood Plan area bounded by Town Lake to the north, Oltorf Street to the south, South Congress Avenue to the East, and the Union Pacific Railroad Tracks to the west (East Bouldin, West Bouldin and Town Lake Watersheds). The proposed zoning change will: 1) add a NP, Neighborhood Plan Combining District (NPCD) to each base zoning district in the plan area; 2) permit the neighborhood mixed use building special use for Tracts 1-5, 11-18, 22-23, 25-27, 31, 33-57, 59-64, 67, and 69-89; and 3) change the base zoning districts on 102 tracts of land: from: SF-3 (Family Residence district); SF-3-H (Family Residence-Historic Combining district); MF-2 (Multi-Family Residence-Low Density district); MF-3 (Multi-Family Residence-Medium Density district); MF-3-H (Multi-Family Residence-Medium Density-Historic Combining district); MF-4 (Multi-Family Residence-Moderate-High Density district); NO (Neighborhood Office district); NO-CO (Neighborhood Office-Conditional Overlay Combining district); LO (Limited Office district); GO-CO (General Office-Conditional Overlay Combining district); LR (Neighborhood Commercial district); LR-CO (Neighborhood Commercial-Conditional Overlay Combining district); LR-H (Neighborhood Commercial-Historic Combining district); GR (Community Commercial district); CS (General Commercial Services district); CS-H (Commercial Services-Historic Combining district); CS-MU-CO (Commercial Services-Mixed Use-Conditional Overlay Combining district); CS-1 (Commercial Liquor Sales district), CS-1-CO (Commercial Liquor Sales-Conditional Overlay Combining district), zoning, to: SF-3-NP (Family Residence-Neighborhood Plan Combining district); SF-4A-NP (Single Family Residence-Small Lot-Neighborhood Plan Combining district); SF-6-NP (Townhouse & Condominium District-Neighborhood Plan Combining district); MF-4-NP (Multi-Family Residence-Moderate-High Density- Neighborhood Plan Combining district); NO-MU-NP (Neighborhood Office-Mixed Use-Neighborhood Plan Combining district); LO-MU-NP (Limited Office-Mixed Use- Neighborhood Plan Combining district); LO-CO-NP (Limited Office-Conditional Overlay- Neighborhood Plan Combining district); LO-MU-CO-NP (Limited Office-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district); LR-CO-NP (Neighborhood Commercial-Conditional Overlay-Neighborhood Plan Combining district); LR-MU-CO-NP (Neighborhood Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district); GR-CO-NP (Community Commercial-Conditional Overlay-Neighborhood Plan Combining district); GR-MU-CO-NP (Community Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan Combining

district); GR-MU-CO-H-NP (Community Commercial-Mixed Use-Conditional Overlay-Historic-Neighborhood Plan Combining district); CS-NP (Commercial Services-Neighborhood Plan Combining district); CS-CO-NP (Commercial Services-Conditional Overlay-Neighborhood Plan Combining district); CS-MU-CO-NP (Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district); CS-MU-CO-H-NP (Commercial Services-Mixed Use-Conditional Overlay-Historic-Neighborhood Plan Combining district); CS-1-NP (Commercial Liquor Sales-Neighborhood Plan Combining district); CS-1-CO-NP (Commercial Liquor Sales-Conditional Overlay-Neighborhood Plan Combining district); CS-1-MU-CO-NP (Commercial Liquor Sales-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district); P-NP (Public-Neighborhood Plan Combining district), zoning with conditions.

Recommendation: To grant SF-3-NP (Family Residence-Neighborhood Plan Combining district); SF-4A-NP (Single Family Residence-Small Lot- Neighborhood Plan Combining district); SF-6-NP (Townhouse & Condominium District- Neighborhood Plan Combining district); MF-4-NP (Multi-Family Residence-Moderate-High Density- Neighborhood Plan Combining district); NO-MU-NP (Neighborhood Office-Mixed Use-Neighborhood Plan Combining district); LO-MU-NP (Limited Office-Mixed Use- Neighborhood Plan Combining district); LO-CO-NP (Limited Office-Conditional Overlay- Neighborhood Plan Combining district); LO-MU-CO-NP (Limited Office-Mixed Use-Conditional Overlay- Neighborhood Plan Combining district); LR-CO-NP (Neighborhood Commercial-Conditional Overlay-Neighborhood Plan Combining district); LR-MU-CO-NP (Neighborhood Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district); GR-CO-NP (Community Commercial-Conditional Overlay-Neighborhood Plan Combining district); GR-MU-CO-NP (Community Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district); GR-MU-CO-H-NP (Community Commercial-Mixed Use-Conditional Overlay-Historic-Neighborhood Plan Combining district); CS-NP (Commercial Services-Neighborhood Plan Combining district); CS-CO-NP (Commercial Services-Conditional Overlay-Neighborhood Plan Combining district); CS-MU-CO-NP (Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district); CS-MU-CO-H-NP (Commercial Services-Mixed Use-Conditional Overlay-Historic-Neighborhood Plan Combining district); CS-1-NP (Commercial Liquor Sales-Neighborhood Plan Combining district); CS-1-CO-NP (Commercial Liquor Sales-Conditional Overlay-Neighborhood Plan Combining district); CS-1-MU-CO-NP (Commercial Liquor Sales-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district); P-NP (Public-Neighborhood Plan with conditions. City Staff: Scott Whiteman, Neighborhood Planning & Zoning Department, 974-2865; Wendy Walsh, Neighborhood Planning & Zoning Department, 974-7719.

The public hearing was closed on Council Member Wynn's motion, Council Member Thomas' second by a 5-0 vote. Mayor Pro Tem Goodman and Council Member Griffith were off the dais.

The first reading of this ordinance was approved with NPCD zoning, as recommended by the Planning Commission, and directing staff and the Neighborhood Planning Team to enter into mediation on Tract 24 and delay the second reading for thirty days, was approved on Council Member Slusher's motion, Council Member Thomas' second by a 6-0 vote. Council Member Griffith was off the dais.

DISCUSSION ITEMS CONTINUED

45. Conduct a public hearing for the full purpose annexation of the following annexation area: Nalle Tract (Approximately 2 acres located in Travis County approximately 1,000 feet west of Capital of Texas Highway, south of the intersection of Capital of Texas Highway and Plaza on the Lake).

The public hearing was closed on Mayor Pro Tem Goodman's motion, Mayor Garcia's second on a 5-0 vote. Council Members Griffith and Slusher were off the dais.

Avery Ranch Areas (Approximately 302 acres in Williamson County north of Avery Ranch Blvd). **The public hearing was closed on Mayor Pro Tem Goodman's motion, Council Member Alvarez' second on a 5-0 vote. Council Members Griffith and Slusher were off the dais.**

Pioneer Crossing (Approximately 140 acres in Travis County south of Gregg Ln and approximately six tenths of a mile west of the intersection of Gregg Ln and Cameron Rd).

Bear Lake PUD (Approximately 117 acres in Hays County east of FM 1826 and approximately eight tenths of a mile south of the intersection of FM 1826 and SH 45). (No action will be taken on this item)

The public hearing was closed on Council Member Thomas' motion, Council Member Alvarez' second by a 5-0 vote. Mayor Pro Tem Goodman and Council Members Griffith and Slusher were off the dais.

46. Conduct a public hearing for the full purpose annexation of the following annexation area: Colton Bluff SMART Housing Tract (Approximately 120 acres located in Travis County at the intersection of Colton Bluff Springs Road and McKinney Falls Parkway). (No action will be taken on this item)
The public hearing was closed on Council Member Alvarez' motion, Council Member Wynn's second by a 4-0 vote. Mayor Pro Tem Goodman and Council Members Griffith and Slusher were off the dais..
47. Conduct a public hearing on an ordinance amending Sections 16-5-22 and 16-5-98 of the City Code related to parking in a front or side yard of a residential property.
The public hearing was closed on Council Member Thomas' motion, Council Member Wynn's second by a 4-0 vote. Mayor Pro Tem Goodman and Council Member Griffith were off the dais.
48. Conduct a public hearing to consider an appeal of the Planning Commission's decision to approve a Conditional Use Permit for a day care services use with conditions. The proposed site is located at 4814 Red River Street. File # SPC-01-0026A. Sammy's House (Sylvia Odem). Appellants: Jeanne C. Simon, Julia J. Sawyer, Julia Sawyer Dill, Kerri McHugh, Doris Coward, Debbie Voelker, Patricia Kneten, John Kneten and Helen Kneten. City Staff: Thomas Bolt, Neighborhood Planning and Zoning Department, 974-2755.
No action was taken on this item. It will be discussed at the April 25, 2002 Council Meeting.
49. Conduct a public hearing to consider an appeal of the Zoning and Platting Commission's decision to deny an administrative amendment to the Harris Branch Planned Unit Development Land Use Plan. The proposed site is located at 1375 U.S. Highway 290 East at Harris Branch Parkway. File # CS14-90-0003.12. Appellant: John McCullough, HB Properties, Ltd., applicant for Harris Branch Planned Unit Development. Agent: Charles Steinman, 454-6777. City Staff: Susan Villarreal, Watershed Protection and Development Review Department, 974-6319.
This item was postponed to May 23, 2002 per staff's request on Council Member Thomas' motion, Council Member Griffith's second on a 7-0 vote.

The motion to adjourn the meeting at 9:47 p.m. was approved on Council Member Slusher's motion, Council Member Thomas' second by a 6-0 vote. Council Member Griffith was off the dais.

The minutes from the worksession of April 17, 2002 and the regular meeting of April 18, 2002 were approved on Council Member Slusher's motion, Mayor Garcia's second by a 7-0 vote.